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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
\$109,800 IN UNITED STATES)
CURRENCY,)
)
Defendant.)

NIN TRAN AND TUNG TRAN,)
)
Claimants.)

No. 11-CV-1967 EMC

REPORT OF THE UNITED
STATES TO THE COURT
ORDER RESETTING CMC

Pursuant to the stipulated stay and the November 15, 2011 Order of the Court, the United States is filing this report on the status of the related state criminal case. *See* Docket Sheet, No. 21.

On April 22, 2011, the United States filed this civil forfeiture action seeking to forfeit defendant \$109,800 which law enforcement seized during the execution of a search warrant in connection with a drug trafficking investigation. 21 U.S.C. § 881(a)(6). After claimants Nin Tran and Tung Tran filed claims on June 22, 2011, the parties in July 2011 stipulated to a stay of this case until a related state court criminal case is resolved, *People of the State of California v. Luc Tran* (7/19/1987), aka *Tran Luc Tien, Linh Nhat Tran* (10/18/1983), et al., DA No. 101127526, filed November 11, 2010 (Superior Court, Santa Clara County, San Jose Facility). The first two named defendants in the state case are the sons of Ninh Tran, a claimant in this case, and nephews of Tung Tran, also a claimant in this case. 18 U.S.C. § 981(g)(1) and (2). The Court entered the parties' stipulation as an order. Stipulation and Order, entered July 12, 2011.

Before filing this report, the undersigned spoke with counsel for claimants who stated that he understood the state court case is still pending and that the undersigned would be filing another report. In addition, on February 24, 2012, the undersigned spoke with the state prosecutor in the related case to obtain updated information on its status.

The conditions on which the stay was obtained are still in effect because the criminal case has not been resolved as to the defendant sons of claimant Ninh Tran. The state prosecutor, Johnny Gogo, has informed the undersigned that the criminal state court case is pending and that a trial in that case is currently scheduled for March 26, 2012, but that the March 26 trial date will likely be rescheduled because a number of criminal defendants in this multi-defendant case anticipate filing motions.

Respectfully submitted,

MELINDA HAAG
United States Attorney

Dated: February 24, 2012

IT IS SO ORDERED that the CMC is reset from
3/2/12 at 9:00 a.m. to 5/25/12 at 9:00 a.m.

/s/
PATRICIA L. KENNEY
Assistant United States Attorney

Edward M. Chen, U.S. District Judge
US Report to the Court
No. 11-CV-1967 EMC

